HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.26507 OF 2007

DATE: 20.12.2007

Between:

Krishnappa

..... PETITIONER

AND

The Station House Officer,
Central Crime Station, Nellore,
Nellore District & Another.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.26507 OF 2007

ORDER: (Per Hon'ble Sri Justice A.Gopal Reddy)

The averments made in the counter affidavit filed by the first respondent belies the contents of the telegram sent by the petitioner to

the Hon'ble Chief Justice, dated 03.12.2007 alleging illegal detention of his son viz. Narsimha Murthy on 10.11.2007, on which basis, the writ petition was taken up.

It is stated in the counter affidavit that on the complaint given by one Kanthilal Vinod Kumar of Nellore Town, cases in Crime Nos.222 & 278 of 2007 for the offence under Sections 420, 380 and 506 IPC have been registered on the file of Nellore III Town Police Station (Crime) on 28.11.2007. In connection with the said crimes, the alleged detenu was arrested on 7.12.2007 and was produced before the II Additional Judicial First Class Magistrate, Nellore. Pursuant to the order passed by the Magistrate on 8.12.2007, the alleged detenu was lodged in Central Prison, Nellore. Since the crime itself was registered on 28.11.2007, the arrest of the alleged detenu on 10.11.2007, as alleged in the telegram, does not arise, which fact has also not been stated by the alleged detenu when he was remanded to judicial custody. Therefore, we see no merit in the writ petition and the same is liable to be dismissed.

The Writ Petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J.

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20th DECEMBER, 2007 G.V. SEETHAPATHY, J.

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